REMARKS

Claim 1 is amended to incorporate a limitation from Claim 8, and Claim 11 is amended to incorporate a limitation from Claim 18. Claims 8 and 18 are amended consistent with the revisions to their respective parent claims. Claim 20 is cancelled without prejudice. Claims 1, 2, 5-12, and 15-19 remain, with no claim previously allowed.

Claims 1, 2, 5-12, and 15-19 were rejected as unpatentable over *Schneck* (US 5,933,498) in view of *Alexander* (US 6,134,593) and *Slivka* (US 6,049,671). The Applicants respectfully traverse that rejection.

Claims 1 and 11 are currently amended to add that the step of "enabling a complete installation of the software product on the local machine" includes installing at least one run-time file associated with the software product. This aspect of the present invention is discussed in the specification at page 5, lines 11-18 and page 16, lines 3-9. "Run-time files" are defined in that latter passage as those files needed to execute the software product on the computer associated with the hard drive, i.e., on a local machine. The method defined by amended Claims 1 and 11 is not found in or taught by the applied art.

It should be recalled that *Schneck* seeks to avoid *any* installation, that is, any downloading of a run-time file onto a user's local machine, in direct contrast with the present invention.

The limitation *installing at least one run-time file associated with the software product*, added by current amendment to independent Claims 1 and 11, was previously in dependent Claims 8 and 18. The rejection of those dependent claims asserts that *Schneck*

discloses that specific limitation, referring to column 18, lines 52-61 and column 34, lines 14-28 to support that assertion. However, support is not found in those passages of *Schneck*. Column 18, lines 52-61 merely discusses the encrypted rules *Schneck* sets up or interrogates for enforcement as needed, whenever accessing data —but not downloading and installing a run-time file, prohibited according to that reference. Column 34, lines 14-28 mention other rules provided for accessing data —but not downloading run-time files— according to *Schneck*. Nothing in those passages, nor elsewhere in that reference, discloses or teaches a method permitting installation of a software product on a local machine, including installing at least one run-time file associated with that software product.

It bears repeating that *Schneck* teaches away from enabling a complete installation of a software product on a local machine, including installing at least one run-time file associated with the software product. Instead, *Schneck* discloses techniques for limiting how much information is displayed and in what form, so that a user may access that data without a complete installation of software and without installing any run-time file associated with a software product. In other words, *Schneck* prevents local installation of a software product, whereas the present Applicants provide a method for permitting controlled installation of a software product including an associated run-time file. Given at least those differences between a method comprising the limitations of Claims 1 and 11 and the teachings of the applied art, the Applicants submit that Claims 1 and 11 define patentable subject matter over that art.

Commenting briefly on the combination of *Alexander* with *Schneck* as applied against previously-presented Claim 1, the teachings of those two references are mutually

opposed. *Schneck* prevents local installation of a software product. *Alexander* discloses allowing a user to install and unlock a software application on a user's machine, with an important difference noted below. One of ordinary skill, considering only those two references but not the teachings of the present Applicants, thus finds one reference (*Schneck*) teaching data access without local installation of a software product including a run-time file, and the other reference (*Alexander*) teaching a way to permit local installation of software.

One cannot have it both ways: If you prevent local installation, clearly you cannot somehow permit local installation. The Applicants respectfully submit that the rejection of Claims 1 et al. amounts to a hindsight reconstruction of those references, using the Applicants' own teachings to create an "obvious" combining of those two mutually-opposed art teachings. For this further reason, the Applicants submit that currently-amended Claims 1 and 11, and the claims depending therefrom, are patentable over the applied art.

The foregoing is submitted as a complete response to the Office Actions identified above. This application should now be in condition for allowance, and the Applicants solicit a notice to that effect.

Respectfully submitted,

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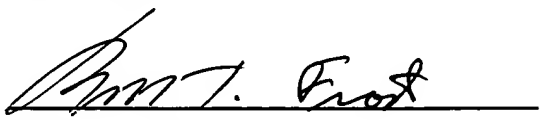

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